

Section 1215, acts Mar. 23, 1951, ch. 15, title I, §105, 65 Stat. 12; Sept. 1, 1954, ch. 1209, §§2, 7(a), 68 Stat. 1116, 1118; Aug. 1, 1956, ch. 821, §§5(a)–(c), 6, 7(a), 70 Stat. 787; June 11, 1960, Pub. L. 86–507, §1(39), 74 Stat. 202; July 3, 1962, Pub. L. 87–520, §2(c), 76 Stat. 134; Oct. 24, 1968, Pub. L. 90–634, title I, §103, 82 Stat. 1345; July 1, 1971, Pub. L. 92–41, §§2(a), 3(d), 85 Stat. 97, 98; Apr. 2, 1982, Pub. L. 97–164, title I, §160(a)(18), 96 Stat. 48, related to renegotiation proceedings.

Section 1216, acts Mar. 23, 1951, ch. 15, title I, §106, 65 Stat. 17; Sept. 1, 1954, ch. 1209, §§3(a), 4(a)–(c), 5(a), 6(a), 68 Stat. 1116, 1118; Aug. 3, 1955, ch. 499, §§3(a), 4(a), 5(a), 69 Stat. 447, 448; Aug. 1, 1956, ch. 821, §§8(a), 9(a), 70 Stat. 789; Oct. 24, 1968, Pub. L. 90–634, title I, §104, 82 Stat. 1345; July 1, 1971, Pub. L. 92–41, §3(d), 85 Stat. 98; Apr. 2, 1982, Pub. L. 97–164, title I, §160(a)(18), 96 Stat. 48, related to exemptions.

Section 1217, acts Mar. 23, 1951, ch. 15, title I, §107, 65 Stat. 19; Aug. 1, 1956, ch. 821, §10, 70 Stat. 791; July 13, 1959, Pub. L. 86–89, §3, 73 Stat. 211; June 11, 1960, Pub. L. 86–507, §1(40), 74 Stat. 202; Aug. 14, 1964, Pub. L. 88–426, title III, §305(31), 78 Stat. 426, established the Renegotiation Board and provided for its operation. The Renegotiation Board was terminated and all property, including records, of the Board was transferred to the Administrator, General Services Administration, on Mar. 31, 1979, pursuant to Pub. L. 95–431, title V, §501, Oct. 10, 1978, 92 Stat. 1043.

§ 1217a. Repealed. June 28, 1955, ch. 189, §12(c)(5), 69 Stat. 181

Section, act Nov. 1, 1951, ch. 665, Ch. V, 65 Stat. 763, authorized the Board to place not more than five positions in grades 16, 17, or 18 of the General Schedule established by the Classification Act of 1949.

§§ 1218 to 1224. Omitted

CODIFICATION

Sections were omitted pursuant to section 1212(c)(1) of this Appendix, which provided that sections 1211 to 1217, and 1218 to 1224 of this Appendix not be applicable to receipts and accruals under contracts attributable to performance after Sept. 30, 1976, and in view of the termination of the Renegotiation Board and transfer of all property, including records, of the Renegotiation Board to the Administrator, General Services Administration, on Mar. 31, 1979, pursuant to Pub. L. 95–431, title V, §501, Oct. 10, 1978, 92 Stat. 1043.

Section 1218, acts Mar. 23, 1951, ch. 15, title I, §108, 65 Stat. 21; Aug. 1, 1956, ch. 821, §11(a), 70 Stat. 791; July 3, 1962, Pub. L. 87–520, §2(b), 76 Stat. 134; July 1, 1971, Pub. L. 92–41, §§2(b), 3(a), 85 Stat. 97, 98; Apr. 2, 1982, Pub. L. 97–164, title I, §160(a)(18), 96 Stat. 48, provided for review by the United States Claims Court [now United States Court of Federal Claims] of Renegotiation Board determinations.

Section 1218a, acts Mar. 23, 1951, ch. 15, title I, §108A, as added Aug. 1, 1956, ch. 821, §12, 70 Stat. 791; amended July 3, 1962, Pub. L. 87–520, §2(a), 76 Stat. 134; July 1, 1971, Pub. L. 92–41, §3(b), 85 Stat. 98; Apr. 2, 1982, Pub. L. 97–164, title I, §160(a)(18), (c), 96 Stat. 48, provided for review of United States Claims Court [now United States Court of Federal Claims] decisions.

Section 1219, act Mar. 23, 1951, ch. 15, title I, §109, 65 Stat. 22, authorized the Renegotiation Board to make rules and regulations as deemed necessary.

Section 1220, act Mar. 23, 1951, ch. 15, title I, §110, 65 Stat. 22, provided that no person be held liable for damages or penalties for compliance with any rule, regulation, or order.

Section 1221, act Mar. 23, 1951, ch. 15, title I, §111, 65 Stat. 22, related to application of the Administrative Procedure Act.

Section 1222, act Mar. 23, 1951, ch. 15, title I, §112, 65 Stat. 22, related to authorization of appropriations.

Section 1223, acts Mar. 23, 1951, ch. 15, title I, §113, 65 Stat. 22; Aug. 1, 1956, ch. 821, §13, 70 Stat. 792, related to prosecution of claims against United States by former personnel.

Section 1224, acts Mar. 23, 1951, ch. 15, title I, §114, as added Aug. 1, 1956, ch. 821, §14, 70 Stat. 792; amended July 1, 1971, Pub. L. 92–41, §3(c), 85 Stat. 98; Apr. 2, 1982, Pub. L. 97–164, title I, §160(a)(18), 96 Stat. 48, required the Renegotiation Board to report to Congress on or before Jan. 1, 1957, and on or before Jan. 1, of each year thereafter on its activities for the preceding year ending on June 30.

TITLE II—GENERAL PROVISIONS

§§ 1231 to 1233. Omitted

CODIFICATION

Section 1231, acts Mar. 23, 1951, ch. 15, title II, §201, 65 Stat. 23; July 17, 1952, ch. 924, §3, 66 Stat. 753; Sept. 1, 1954, ch. 1209, §8, 68 Stat. 1118, which abolished the War Contracts Price Adjustment Board and transferred its functions under section 1191 of this Appendix to the Renegotiation Board, with the exception of the functions under section 1191(a)(4)(D) of this Appendix, which were transferred to the Administrator of General Services, was omitted in view of the termination of the Renegotiation Board and transfer of all property, including records, of the Board to the Administrator, General Services Administration, on Mar. 31, 1979, pursuant to Pub. L. 95–431, title V, §501, Oct. 10, 1978, 92 Stat. 1043, and the omission of section 1191 of this Appendix.

Section 1232, act Mar. 23, 1951, ch. 15, title II, §202, 65 Stat. 24, which prescribed a period of limitations for actions under the Renegotiation Act of 1948, section 1193 of this Appendix, was omitted in view of the omission of section 1193 of this Appendix.

Section 1233, act Mar. 23, 1951, ch. 15, title II, §203, 65 Stat. 25, amended section 3806(a)(1) of the Internal Revenue Code of 1939. Provisions of section 3806 of the I.R.C. of 1939 are covered by section 1481 of Title 26, Internal Revenue Code.

NATIONAL EMERGENCY AND WAR SHIPPING ACTS

ACT JUNE 11, 1940

Sec.
1251. Repealed.

ACT MAY 2, 1941

1261 to 1263. Repealed.

ACT JUNE 6, 1941

1271 to 1275. Omitted.

ACT JULY 14, 1941

1281 to 1286. Repealed.

ACT MAR. 24, 1943

- 1291. Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions.
- 1292. Insurance awards by War Shipping Administrator; findings and actions as conclusive.
- 1293. Payment of compensation; insurance.
- 1294. United States as entitled to all benefits of exemption and limitation of liability accorded to owners of vessels.
- 1295. Omitted.

ACT APR. 29, 1943

1301 to 1305. Repealed.

ACT AUG. 10, 1946

1306 to 1308. Repealed.

ACT JULY 9, 1943

1311, 1312. Omitted.

ACT JUNE 11, 1940, CH. 327, 54 STAT. 306

§ 1251. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449

Section, acts June 11, 1940, ch. 327, 54 Stat. 306; May 2, 1941, ch. 84, § 1, 55 Stat. 148; June 16, 1942, ch. 416, 56 Stat. 370, related to determination of foreign construction costs of vessels.

ACT MAY 2, 1941, CH. 84, 55 STAT. 148

§§ 1261, 1262. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449

Section 1261, acts May 2, 1941, ch. 84, § 2, 55 Stat. 148; June 16, 1942, ch. 416, 56 Stat. 370, authorized United States Maritime Commission to negotiate contracts without advertisement or bids.

Section 1262, acts May 2, 1941, ch. 84, § 3, 55 Stat. 149; June 16, 1942, ch. 416, 56 Stat. 370, authorized charter of Commission vessels to private operators for foreign trade until six months after the end of World War II.

§ 1263. Repealed. May 7, 1943, ch. 93, § 5, 57 Stat. 77

Section, acts May 2, 1941, ch. 84, § 4, 55 Stat. 150; June 16, 1942, ch. 416, 56 Stat. 370, related to working hours and overtime pay of United States Maritime Commission ship construction and other employees.

ACT JUNE 6, 1941, CH. 174, 55 STAT. 242

§§ 1271 to 1275. Omitted

CODIFICATION

Section 1271, acts June 6, 1941, ch. 174, § 1, 55 Stat. 242; June 16, 1942, ch. 416, 56 Stat. 370; Mar. 24, 1943, ch. 26, § 3(a), 57 Stat. 48, which related to purchase, requisition, etc., of foreign vessels authorized during national emergency and compensation, expired on July 1, 1953. See section 196 of Title 50.

Section 1272, acts June 6, 1941, ch. 174, § 2, 55 Stat. 243; June 16, 1942, ch. 416, 56 Stat. 370, which related to availability of appropriations for carrying out provisions of section 1271 to 1275 of this Appendix, expired on July 1, 1953.

Section 1273, acts June 6, 1941, ch. 174, § 3, 55 Stat. 243; June 16, 1942, ch. 416, 56 Stat. 370; Mar. 24, 1943, ch. 26, § 3(j), 57 Stat. 51, which related to charter of domestic and foreign vessels, expired on July 1, 1953. See sections 197 and 198 of Title 50.

Section 1274, acts June 6, 1942, ch. 174, § 4, 55 Stat. 244; June 16, 1942, ch. 416, 56 Stat. 370; Mar. 24, 1943, ch. 26, § 3(k), 57 Stat. 51, which related to purchase of domestic or foreign vessels, expired on July 1, 1953. See sections 197 and 198 of Title 50.

Section 1275, acts June 6, 1941, ch. 174, § 5, 55 Stat. 244; June 16, 1942, ch. 416, 56 Stat. 370, which related to documentation of vessels requisitioned, purchased, etc., expired on July 1, 1953. See section 198 of Title 50.

Ex. Ord. No. 9848, eff. May 8, 1947, 12 F.R. 3059, and Ex. Ord. No. 8869, eff. Aug. 23, 1941, 6 F.R. 4351, related to administration of sections 1271 to 1275 of this Appendix.

ACT JULY 14, 1941, CH. 297, 55 STAT. 591

§§ 1281 to 1286. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449

Section 1281, acts July 14, 1941, ch. 297, § 1, 55 Stat. 591; June 16, 1942, ch. 416, 56 Stat. 370, related to transportation priorities for merchant vessels during World War II.

Section 1282, acts July 14, 1941, ch. 297, § 2, 55 Stat. 591; June 16, 1942, ch. 416, 56 Stat. 370, related to form and content of warrants.

Section 1283, acts July 14, 1941, ch. 297, § 3, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, related to priorities for vessels holding warrants.

Section 1284, acts July 14, 1941, ch. 297, § 4, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, related to Commission policy regarding priorities.

Section 1285, acts July 14, 1941, ch. 297, § 5, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, defined citizens of the United States for purposes of sections 1281 to 1286 of this Appendix.

Section 1286, acts July 14, 1941, ch. 297, § 6, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, related to penalties for violations of sections 1281 to 1286 of this Appendix and jurisdiction of offenses committed in the Canal Zone and the Philippine Islands.

EXTENSION OF TERMINATION DATE

Prior to repeal, sections 1281 to 1286 had been extended until six months after termination of World War II by act June 16, 1942, ch. 416, 56 Stat. 370.

ACT MAR. 24, 1943, CH. 26, 57 STAT. 45

§ 1291. Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions

(a) Officers and members of crews (hereinafter referred to as "seamen") employed on United States or foreign flag vessels as employees of the United States through the War Shipping Administration¹ shall, with respect to (1) laws administered by the Public Health Service and the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3) of this section; (2) death, injuries, illness, maintenance and cure, loss of effects, detention, or repatriation, or claims arising therefrom not covered by the foregoing clause (1); and (3) collection of wages and bonuses and making of allotments, have all of the rights, benefits, exemptions, privileges, and liabilities, under law applicable to citizens of the United States employed as seamen on privately owned and operated American vessels. Such seamen, because of the temporary wartime character of their employment by the War Shipping Administration, shall not be considered as officers or employees of the United States for the purposes of the United States Employees Compensation Act, as amended [5 U.S.C. 8101 et seq.]; the Civil Service Retirement Act, as amended [5 U.S.C. 8331 et seq.]; the Act of Congress approved March 7, 1942 (Pub. Law 490, Seventy-seventh Congress) or the Act entitled "An Act to provide benefits for the injury, disability, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor", approved December 2, 1942 (Public Law 784, Seventy-seventh Congress) [42 U.S.C. 1701 et seq.]. Claims arising under clause (1) hereof shall be enforced in the same manner as such claims would be enforced if the seaman were employed on a privately owned and operated American vessel. Any claim referred to in clause (2) or (3) hereof shall, if administratively disallowed in whole or in part, be enforced pursuant to the provisions of the Suits in Admiralty Act [46 U.S.C. 30901 et seq.], notwithstanding the vessel on which the seaman is employed is not a merchant vessel within the meaning of such Act [said sections]. Any claim, right, or cause of ac-

¹ See Transfer of Functions note below.

tion of or in respect of any such seaman accruing on or after October 1, 1941, and prior to the date of enactment of this section [Mar. 24, 1943] may be enforced, and upon the election of the seaman or his surviving dependent or beneficiary, or his legal representative to do so shall be governed, as if this section had been in effect when such claim, right, or cause of action accrued, such election to be made in accordance with rules and regulations prescribed by the Administrator, War Shipping Administration. Rights of any seaman under the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3), and claims therefor shall be governed solely by the provisions of such Act, so amended. When used in this subsection the term “administratively disallowed” means a denial of a written claim in accordance with rules or regulations prescribed by the Administrator, War Shipping Administration. When used in this subsection the terms “War Shipping Administration” and “Administrator, War Shipping Administration” shall be deemed to include the United States Maritime Commission with respect to the period beginning October 1, 1941, and ending February 11, 1942, and the term “seaman” shall be deemed to include any seaman employed as an employee of the United States through the War Shipping Administration on vessels made available to or subchartered to other agencies or departments of the United States.

(b)(1) Omitted [Amendment of section 1426 of the Internal Revenue Code of 1939].

(2) Omitted [Amendment of section 209 of the Social Security Act, as amended (42 U.S.C. 409)].

(3) Omitted [Amendment of section 907 of the Social Security Act Amendments of 1939 (53 Stat. 1402)].

(c) The War Shipping Administration and its agents or persons acting on its behalf or for its account may, for convenience of administration, with the approval of the Administrator, make payments of any taxes, fees, charges, or exactions to the United States or its agencies.

(Mar. 24, 1943, ch. 26, § 1, 57 Stat. 45; Apr. 4, 1944, ch. 161, § 1, 2, 58 Stat. 188; Mar. 24, 1945, ch. 36, § 1(a), 59 Stat. 38.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The United States Employees Compensation Act, as amended, referred to in subsec. (a), is act Sept. 7, 1916, ch. 458, 39 Stat. 742, as amended, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and the provisions thereof were reenacted by the first section thereof as subchapter I (§8101 et seq.) of chapter 81 of Title 5, Government Organization and Employees.

The Civil Service Retirement Act, as amended, referred to in subsec. (a), is act May 29, 1930, ch. 349, 46 Stat. 468, as amended generally by act July 31, 1956, ch. 804, §401, 70 Stat. 743, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and reenacted by the first section thereof as subchapter III (§8331 et seq.) of chapter 83 of Title 5.

The Act of Congress approved March 7, 1942 (Public Law 784, Seventy-seventh Congress), referred to in subsec. (a), is act Mar. 7, 1942, ch. 166, 56 Stat. 143, as

amended, popularly known as the Missing Persons Act, and was classified to sections 1001 to 1018 of this Appendix. The Act was repealed by Pub. L. 89-554, Sept. 6, 1966, §8(a), 80 Stat. 632, and reenacted by the first section thereof as subchapter VII of chapter 55 of Title 5, Government Organization and Employees, and chapter 10 of Title 37, Pay and Allowances of the Uniformed Services.

The Act entitled “An Act to provide benefits for the injury, disability, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor”, approved December 2, 1942 (Public Law 784, Seventy-seventh Congress), referred to in subsec. (a), is act Dec. 2, 1942, ch. 668, 56 Stat. 1028, as amended, titles I and II of which are popularly known as the War Hazards Compensation Act, and is classified principally to chapter 12 (§1701 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 42 and Tables.

The Suits in Admiralty Act, referred to in subsec. (a), is act Mar. 9, 1920, ch. 95, 41 Stat. 525, which was classified generally to chapter 20 (§§741 to 743, 744 to 752) of former Title 46, Appendix, Shipping, and was repealed and restated in chapter 309 of Title 46, Shipping, by Pub. L. 109-304, §6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710. Section 30901 of Title 46 provides that chapter 309 of Title 46 may be cited as the Suits in Admiralty Act. For disposition of sections of former Title 46, Appendix, to Title 46, see Disposition Table preceding section 101 of Title 46.

AMENDMENTS

1945—Subsec. (b)(1). Act Mar. 24, 1945, inserted last sentence.

1944—Subsec. (b)(1), (2). Act Apr. 4, 1944, inserted provisions excluding from term employment service performed under contract entered into without the United States and during the performance of which the vessel does not touch a port in the United States, or a vessel documented under the laws of a foreign country and bareboat chartered to the War Shipping Administration.

EFFECTIVE DATE

Section 1(b) of act Mar. 24, 1945, provided that the amendment made by that act shall be effective as if made by section 1 of act Mar. 24, 1943.

TRANSFER OF FUNCTIONS

War Shipping Administration terminated as of Sept. 1, 1946, and functions, powers, duties, etc., transferred to United States Maritime Commission for period Sept. 1, 1946, to Dec. 31, 1946, for purpose of liquidating Administration, by act July 8, 1946, ch. 543, title II, §202, 60 Stat. 501.

United States Maritime Commission abolished by Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, which transferred part of its functions and part of functions of its Chairman to Federal Maritime Board and Chairman thereof, that Board having been created by that Plan as an agency within Department of Commerce with an independent status in some respects, and transferred remainder of Commission's functions and functions of its Chairman to Secretary of Commerce, with power vested in Secretary to authorize their performance by Maritime Administrator, the head of Maritime Administration, which likewise was established by the Plan in Department of Commerce with provision that Chairman of Federal Maritime Board should, ex officio, be that Administrator.

Federal Maritime Board, including offices of members of Board, abolished by section 304 of Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 843, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Board transferred either to Federal Maritime Commission or to Secretary

of Commerce by sections 103 and 202 of Reorg. Plan No. 7 of 1961.

Maritime Administration transferred from Department of Commerce to Department of Transportation by Maritime Act of 1981, Pub. L. 97-31, Aug. 6, 1981, 95 Stat. 151, which was repealed in part by Pub. L. 109-304, § 19, Oct. 6, 2006, 120 Stat. 1710. See section 109 of Title 49, Transportation.

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all agencies of or in Public Health Service transferred to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, 31 F.R. 8855, 80 Stat. 1610, effective June 25, 1966, set out in the Appendix to Title 5, Government Organization and Employees. Secretary of Health, Education, and Welfare redesignated Secretary of Health and Human Services by section 3508(b) of Title 20, Education.

VESSEL OPERATIONS UNDER REVOLVING FUND

Vessel operations conducted under Vessel Operations Revolving Fund, applicability of subsecs. (a) and (c) of this section to, see section 50301(a) to (e) of Title 46, Shipping.

§ 1292. Insurance awards by War Shipping Administrators; findings and actions as conclusive

(a) Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449.

(b) Whenever the Administrator, War Shipping Administration,¹ finds that, on or after October 1, 1941, and before thirty days after the date of enactment of this subsection [Mar. 24, 1943], a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission, the War Shipping Administration, or the War Department² or operated by, or for the account of, or at the direction or under the control of the Commission, the Administration, or the War Department, has suffered death, injury, detention, or other casualty, for which the War Shipping Administration would be authorized to provide insurance under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended by this Act, the Administrator may declare that such death, injury, detention, or other casualty, shall be deemed and considered to be covered by such insurance at the time of the disaster or accident, if the Administrator finds that such action is required to make equitable provision for loss or injury related to the war effort and not otherwise adequately provided for: *Provided*, That in making provision for insurance under this subsection the Administrator shall not provide for payments in excess of those generally provided for in comparable cases under insurance hereafter furnished under the said Subtitle—Insurance of title II, as amended: *Provided further*, That any money paid to any person by reason of insurance provided for under this subsection shall apply in pro tanto satisfaction of the claim of such person against the United States arising from the same loss or injury. There shall be no recovery of any money paid on account of insurance provided for the master, officers, or members of the crew of, or individuals transported on, any vessel under this subsection

¹ See Transfer of Functions note below.

² See Change of Name note below.

or under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, from any person who in the judgment of the Administrator, War Shipping Administration, is without fault, and when in the judgment of the Administrator such recovery would defeat the purposes of benefits otherwise authorized or would be against equity and good conscience. The declarations, findings, and actions of or by the Administrator under this subsection shall be final and conclusive.

(c) The Administrator, War Shipping Administration, is also authorized to make payments, in accordance with rate schedules provided by the United States Employees' Compensation Act [5 U.S.C. 8101 et seq.], to a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission or the War Shipping Administration or operated by, or for the account of, or at the direction or under the control of the Commission or the Administration, for permanent total or partial disability as long as such disability resulting from causes related to the war effort whether heretofore or hereafter arising exists; such payments to commence if and when insurance benefits provided by the War Shipping Administration for such person shall have been exhausted.

(d) The War Shipping Administration shall have the right of intervention and a lien and right of recovery in the cases and to the extent of any payments paid and payable under this section or under Subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended, in the manner provided in the last paragraph of subsection (c) of section 105 of the Act approved December 2, 1942 (Public Law 784, 77th Congress; 42 U.S.C., sec. 1701), as amended by Public Law 216, 78th Congress, approved December 23, 1943. Any amounts recovered under this provision shall be covered into the Marine and War-risk insurance fund, War Shipping Administration.

(Mar. 24, 1943, ch. 26, § 2, 57 Stat. 47; Sept. 30, 1944, ch. 451, 58 Stat. 758; Aug. 8, 1946, ch. 905, 60 Stat. 937; July 25, 1947, ch. 327, § 1, 61 Stat. 449.)

REFERENCES IN TEXT

Title II of the Merchant Marine Act, 1936, as amended, referred to in subsecs. (b) and (d), is title II of act June 29, 1936, ch. 858, 49 Stat. 1985, as amended, which was classified to sections 1128 to 1128h of former Title 46, Shipping, and which was repealed by act July 25, 1947, ch. 327, § 1, 61 Stat. 449.

The United States Employees' Compensation Act, as amended, referred to in subsec. (c), is act Sept. 7, 1916, ch. 458, 39 Stat. 742, as amended, which was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, and the provisions thereof were reenacted by the first section thereof as subchapter I (§ 8101 et seq.) of chapter 81 of Title 5, Government Organization and Employees.

AMENDMENTS

1947—Subsec. (a). Act July 25, 1947, repealed subsec. (a) which amended section 1128a of former Title 46, Shipping.

1946—Subsec. (b). Act Aug. 8, 1946, amended subsec. (b) generally, making section applicable to employees of the War Department.

1944—Subsec. (b). Act Sept. 30, 1944, inserted sentence beginning "There shall be no".

Subsecs. (c), (d). Act Sept. 30, 1944, added subsecs. (c) and (d).

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 207(a), (f) of act July 26, 1947, established Department of the Air Force, headed by a Secretary, and transferred functions (relating to Army Air Forces) of Secretary of the Army and Department of the Army to Secretary of the Air Force and Department of the Air Force. Sections 205(a) and 207(a), (f) of act July 26, 1947, were repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces", which in sections 3010 to 3013 and 8010 to 8013 continued Departments of the Army and Air Force under administrative supervision of Secretary of the Army and Secretary of the Air Force, respectively.

EFFECTIVE DATE OF 1946 AMENDMENT

Act Aug. 8, 1946, provided that the amendment made by that Act is effective as of Mar. 24, 1943.

TRANSFER OF FUNCTIONS

War Shipping Administration terminated as of Sept. 1, 1946, and functions, powers, duties, etc., transferred to United States Maritime Commission for period Sept. 1, 1946, to Dec. 31, 1946, for purpose of liquidating Administration, by act July 8, 1946, ch. 543, title II, §202, 60 Stat. 501.

Maritime Commission, meaning United States Maritime Commission, abolished by Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, which transferred part of its functions and part of functions of its Chairman to Federal Maritime Board and Chairman thereof, that Board having been created by that Plan as an agency within Department of Commerce with an independent status in some respects, and transferred remainder of that Commission's functions and functions of its Chairman to Secretary of Commerce, with power vested in Secretary to authorize their performance by Maritime Administrator, the head of Maritime Administration, which likewise was established by the Plan in Department of Commerce with provision that Chairman of Federal Maritime Board should, ex officio, be that Administrator.

Federal Maritime Board, including offices of members of Board, abolished by section 304 of Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 843, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Board transferred either to Federal Maritime Commission or to Secretary of Commerce by sections 103 and 202 of Reorg. Plan No. 7 of 1961.

Maritime Administration transferred from Department of Commerce to Department of Transportation by Maritime Act of 1981, Pub. L. 97-31, Aug. 6, 1981, 95 Stat. 151, which was repealed in part by Pub. L. 109-304, §19, Oct. 6, 2006, 120 Stat. 1710. See section 109 of Title 49, Transportation.

§ 1293. Payment of compensation; insurance

(a) Omitted [Amendment of section 1271 of this Appendix].

(b) Omitted.

(c) In the event that a vessel the title or use and possession of which is requisitioned or taken pursuant to chapter 563 of title 46 or the Act of June 6, 1941 (Public Law 101, Seventy-seventh Congress) [sections 1271 to 1275 of this Appendix], is in the custody of any court, State or Federal, it shall be the duty of all agents and officers of the court having possession, custody, or control of said vessel, forthwith upon the filing with the clerk of said court of a certified copy of the order of requisitioning or taking, and

without further order of the court, to comply with said requisitioning or taking and to permit the representatives of the United States Maritime Commission or the War Shipping Administration,¹ as the case may be, to take possession, custody, and control of said vessel.

(d) Omitted [Amendment of section 902 of the Merchant Marine Act, 1936 (now 46 U.S.C. 56301 et seq.)].

(e) to (i) Repealed. July 25, 1947, ch. 327, §1, 61 Stat. 449.

(j) Omitted [Amendment of section 1273 of this Appendix].

(k) Omitted [Amendment of section 1274 of this Appendix].

(Mar. 24, 1943, ch. 26, §3, 57 Stat. 48; July 25, 1947, ch. 327, §1, 61 Stat. 449.)

CODIFICATION

Subsec. (b). Act Mar. 24, 1943, dealing with power of War Shipping Administrator to determine whether a vessel was required by United States, expired with the termination on Sept. 1, 1946, of War Shipping Administration, as set forth in note below.

In subsec. (c), "chapter 563 of title 46" substituted for "section 902 of the Merchant Marine Act, 1936, as amended," on authority of Pub. L. 109-304, §18(c), Oct. 6, 2006, 120 Stat. 1709, which Act enacted chapter 563 of Title 46, Shipping.

Subsecs. (e) to (i). Act Mar. 24, 1943, amended sections 1128b to 1128e and 1128h of former Title 46, Shipping, by providing compensation for servicing insurance, placing 5 percent limitation on commissions, for action in nature of bill of interpleader against interested persons, defining risks of war, and reinsurance of insurance companies.

TRANSFER OF FUNCTIONS

War Shipping Administration terminated as of Sept. 1, 1946, and functions, powers, duties, etc., transferred to United States Maritime Commission for period Sept. 1, 1946, to Dec. 31, 1946, for purpose of liquidating Administration, by act July 8, 1946, ch. 543, title II, §202, 60 Stat. 501.

United States Maritime Commission abolished by Reorg. Plan No. 21, 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, which transferred part of its functions and part of functions of its Chairman to Federal Maritime Board and Chairman thereof, that Board having been created by that Plan as an agency within Department of Commerce with an independent status in some respects, and transferred remainder of Commission's functions and functions of its Chairman to Secretary of Commerce, with power vested in Secretary to authorize their performance by Maritime Administrator, the head of Maritime Administration, which likewise was established by the Plan in Department of Commerce with provision that Chairman of Federal Maritime Board should, ex officio, be that Administrator.

Federal Maritime Board, including offices of members of Board, abolished by section 304 of Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 843, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Board transferred either to Federal Maritime Commission or to Secretary of Commerce by sections 103 and 202 of Reorg. Plan No. 7 of 1961.

Maritime Administration transferred from Department of Commerce to Department of Transportation by Maritime Act of 1981, Pub. L. 97-31, Aug. 6, 1981, 95 Stat. 151, which was repealed in part by Pub. L. 109-304, §19, Oct. 6, 2006, 120 Stat. 1710. See section 109 of Title 49, Transportation.

¹ See Transfer of Functions note below.

VESSEL OPERATIONS UNDER REVOLVING FUND

Vessel operations conducted under Vessel Operations Revolving Fund, applicability of subsec. (c) of this section to, see section 50301(a) to (e) of Title 46, Shipping.

§ 1294. United States as entitled to all benefits of exemption and limitation of liability accorded to owners of vessels

The United States shall, with respect to vessels owned by or chartered to the War Shipping Administrator¹ under bareboat charter or time charter or operated directly by such Administrator or for his account, be entitled to the benefits of all exemptions and of all limitations of liability accorded by law to the owners of vessels. With respect to any such vessel, the term “the United States” shall include agents or other persons acting for or on behalf of the Administrator in connection with the operation thereof.

(Mar. 24, 1943, ch. 26, § 4, 57 Stat. 51.)

TRANSFER OF FUNCTIONS

War Shipping Administration terminated as of Sept. 1, 1946, and functions, powers, duties, etc., transferred to United States Maritime Commission for period Sept. 1, 1946, to Dec. 31, 1946, for purpose of liquidating Administration, by act July 8, 1946, ch. 543, title II, § 202, 60 Stat. 501.

VESSEL OPERATIONS UNDER REVOLVING FUND

Vessel operations conducted under Vessel Operations Revolving Fund, applicability of this section to, see section 50301(a) to (e) of Title 46, Shipping.

§ 1295. Omitted

CODIFICATION

Section, act Mar. 24, 1943, ch. 26, § 5, 57 Stat. 51, which provided that section 1291(a) of this Appendix should remain in force until termination of sections 601 to 605 of this Appendix by section 621 of this Appendix, was omitted in view of termination on Sept. 1, 1946, of War Shipping Administration.

ACT APR. 29, 1943, CH. 81, 57 STAT. 69

§§ 1301 to 1305. Repealed. Aug. 13, 1954, ch. 725, § 1(a), 68 Stat. 701

Section 1301, acts Apr. 29, 1943, ch. 81, § 1, 57 Stat. 69; May 18, 1944, ch. 199, § 1, 58 Stat. 223, related to return of fishing vessels, vessels of 100 tons or less and Great Lakes vessels to private owners.

Section 1302, acts Apr. 29, 1943, ch. 81, § 2, 57 Stat. 69; May 18, 1944, ch. 199, § 2, 58 Stat. 223, related to determination of availability of vessels mentioned in section 1301 of this Appendix, repayment of compensation to United States.

Section 1303, acts Apr. 29, 1943, ch. 81, § 3, 57 Stat. 69; May 18, 1944, ch. 199, § 3, 58 Stat. 244; Aug. 10, 1946, ch. 948, 60 Stat. 976, related to failure or waiver of return rights, sale of vessels.

Section 1304, acts Apr. 29, 1943, ch. 81, § 4, 57 Stat. 70; May 18, 1944, ch. 199, § 4, 58 Stat. 224, related to payment of expenses incurred by War Shipping Administration in return or sale of vessels.

Section 1305, act Apr. 29, 1943, ch. 81, § 5, as added Aug. 10, 1946, ch. 948, 60 Stat. 976, related to vessels for exclusive disposal to veterans.

SAVINGS PROVISION

See section 1(b) of act Aug. 13, 1954, set out as a note under sections 1306 to 1308 of this Appendix.

¹ See Transfer of Functions note below.

ACT AUG. 10, 1946, CH. 949, 60 STAT. 977

§§ 1306 to 1308. Repealed. Aug. 13, 1954, ch. 725, § 1(b), 68 Stat. 701

Section 1306, act Aug. 10, 1946, ch. 949, § 1, 60 Stat. 977, related to sale of surplus vessels for fishing.

Section 1307, act Aug. 10, 1946, ch. 949, § 2, 60 Stat. 977, related to definitions of terms used in sections 1306 to 1308 of this Appendix and rights of former owners.

Section 1308, act Aug. 10, 1946, ch. 949, § 3, 60 Stat. 977, related to terms of sale of vessels and other methods of disposal.

SAVINGS PROVISION

Section 1(b) of act Aug. 13, 1954, provided in part that: “Notwithstanding the enactment of this joint resolution, the aforesaid statutory provisions shall apply to any vessels which prior to such enactment [Aug. 13, 1954] have been declared available for return to former owners by notice to the Department of Commerce under the Act of April 29, 1943, as amended [sections 1301 to 1305 of this Appendix], or determined to be surplus for sale to former owners of fishing vessels in accordance with the Act of August 10, 1946 (Public Law 717, Seventy-ninth Congress) [sections 1306 to 1308 of this Appendix]. Any other vessels which, but for the enactment of this joint resolution, would be disposed of in accordance with any of the aforesaid statutory provisions, shall be disposed of in accordance with the provisions of other existing laws.”

ACT JULY 9, 1943, CH. 212, 57 STAT. 391

§§ 1311, 1312. Omitted

CODIFICATION

Section 1311, act July 9, 1943, ch. 212, § 1, 57 Stat. 391, which created penalty for violation of regulations or orders relating to protection of vessels, harbors, ports, or waterways, terminated pursuant to section 1312 of this Appendix.

Section 1312, act July 9, 1943, ch. 212, § 2, 57 Stat. 391, provided for the termination of sections 1311 and 1312 of this Appendix six months after the cessation of hostilities, which was proclaimed by Proc. No. 2714, eff. Dec. 31, 1946, 12 F.R. 1.

FARM LABOR SUPPLY APPROPRIATION ACT, 1944

ACT FEB. 14, 1944, CH. 16, 58 STAT. 11

§§ 1351 to 1355. Omitted

CODIFICATION

Sections 1351 to 1355 were omitted as terminating Jan. 30, 1948, pursuant to act May 26, 1947, ch. 82, title I, § 101, 61 Stat. 109, set out as an Extension and Liquidation of Program note below.

Section 1351, act Feb. 14, 1944, ch. 16, title I, § 1, 58 Stat. 11, appropriated money to provide adequate supply of agricultural workers during World War II.

Section 1352, act Feb. 14, 1944, ch. 16, title I, § 2, 58 Stat. 12, related to payments to the various States to assist in supplying an adequate number of agricultural workers during World War II.

Section 1353, act Feb. 14, 1944, ch. 16, title I, § 3, 58 Stat. 12, related to expenditures by the Administrator of Food Production and Distribution.

Section 1354, act Feb. 14, 1944, ch. 16, title I, § 4, 58 Stat. 14, related to limitations on use of funds.

Section 1355, acts Feb. 14, 1944, ch. 16, title I, § 5, 58 Stat. 14; Apr. 1, 1944, ch. 152, title I, 58 Stat. 157; Apr. 25, 1945, ch. 95, title I, 59 Stat. 80; June 30, 1947, ch. 165, 61 Stat. 202, related to miscellaneous provisions for implementing sections 1351 to 1355 of this Appendix.

PRIOR PROVISIONS

Sections 1351 to 1355 are from act Feb. 14, 1944, ch. 16, title I, §§ 1–5, 58 Stat. 11–14, known as the Farm Labor